

House File 211 - Introduced

HOUSE FILE 211

BY ISENHART

A BILL FOR

1 An Act relating to Medicaid coverage for individuals lawfully
2 residing in the state in accordance with the compacts of
3 free association, and providing effective and applicability
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. MEDICAID COVERAGE — LAWFULLY RESIDING
2 INDIVIDUALS — COMPACTS OF FREE ASSOCIATION. Beginning
3 December 27, 2020, in accordance with division CC, Tit. II,
4 section 208, of the federal Consolidated Appropriations Act,
5 2021, Pub. L. No. 116-260, the department of human services
6 shall provide Medicaid coverage to any individual who lawfully
7 resides in Iowa in accordance with the compacts of free
8 association between the government of the United States and
9 the governments of the Federated States of Micronesia, the
10 Republic of the Marshall Islands, and the Republic of Palau.
11 The department shall seek federal financial participation for
12 Medicaid coverage provided under this section retroactively to
13 December 27, 2020.

14 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
15 importance, takes effect upon enactment.

16 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies
17 retroactively to December 27, 2020.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill requires the department of human services (DHS),
22 in accordance with federal law, to provide Medicaid coverage to
23 individuals lawfully residing in the state in accordance with
24 the compacts of free association (COFA) between the government
25 of the United States and the governments of the Federated
26 States of Micronesia, the Republic of the Marshall Islands,
27 and the Republic of Palau. DHS shall seek federal financial
28 participation for Medicaid coverage provided under the bill
29 retroactively to December 27, 2020. The bill takes effect upon
30 enactment and is retroactively applicable to December 27, 2020.

31 The federal Personal Responsibility and Work Opportunity
32 Reconciliation Act (PRWORA) of 1996 did not include COFA
33 migrants as "qualified non-citizens" for the purposes
34 of Medicaid coverage, resulting in COFA migrants who had
35 previously been eligible for Medicaid coverage no longer being

1 eligible. The federal Children's Health Insurance Program
2 Reauthorization Act (CHIPRA) of 2009 provided an option to
3 states to cover lawfully residing children under age 21 and
4 pregnant women, including COFA migrants, under the Medicaid or
5 Children's Health Insurance Program (CHIP). The state elected
6 to provide coverage to COFA migrants under age 21. The federal
7 Consolidated Appropriations Act, 2021, effective December 27,
8 2020, requires all states to provide full Medicaid coverage
9 to all COFA migrants who are otherwise eligible for Medicaid.
10 Additionally, the five-year limitation on benefits imposed
11 on some categories of immigrants does not apply to the COFA
12 migrants under the federal law.